



The Corporation of the District of North Cowichan

**A Bylaw to Regulate the Temporary Use of and Occupancy of  
Mobile Homes in the District of North Cowichan**

Bylaw 1685

*[Consolidated and printed by authority of the Corporate Officer under section 139 of the Community Charter. Current to January 19, 2017. Last amended December 7, 2016. Amendments: 1857, 2767, 2808, 2860, 3139, 3470, 3567, 3624.]*

WHEREAS it is deemed desirable to grant permission for the siting, use and occupancy of mobile homes within the Municipality on a temporary basis to meet special needs for compassionate reasons;

AND WHEREAS it is deemed necessary to regulate and control the site, use and occupancy of mobile homes granted such permission; [BL 3189]

NOW THEREFORE, the Municipal Council of The Corporation of the District of North Cowichan, in open meeting assembled, enacts as follows:

**1** In this Bylaw:

**“Inspector”** means the Manager of Building and Compliance and other Building Inspectors so appointed by the Chief Administrative Officer;

**“mobile home”** means a factory built dwelling unit no more than 4.3 m (14 ft.) wide that conforms to Canadian Standards Association Z240-MH series standard. [BL3567]

**2** If this Bylaw is complied with and Provincial health regulator’s approval respecting water supply and sewage disposal is received, Council may issue a permit to use and occupy a mobile home on a parcel not smaller than 0.81 ha (2 acres) for one of the following purposes:

- (a) To accommodate or care for a sick or elderly person. Council may ask for a medical doctor’s certification of the need to care for the person or the person’s birth certificate;
- (b) To accommodate a child needing accommodation for the child’s family. Council may ask for evidence substantiating the need to use or occupy a mobile home for this purpose;
- (c) To accommodate an owner while the owner’s permanent residence is under construction. Despite section 3, a permit issued for this purpose is valid for 2 years or, if shorter, from when a building permit is issued for the permanent residence to when an occupancy permit is issued for the permanent residence. If the building permit expires, the temporary permit is considered to expire;
- (d) To accommodate farm help;

- (e) For the protection of property against vandalism. Council will only issue a permit for this purpose if the parcel is zoned for an industrial or commercial use. [BL3189]

**3** All permits issued by Council under this Bylaw shall be for a period of one year, and shall be renewable upon written application should the circumstances of the applicant remain the same. However, the permit shall at all times be subject to the relevant sections of this Bylaw and any amendments thereto. [BL3189]

**4 - 7** [Repealed; BL3189]

**8** An application for a permit under this Bylaw must be made in the form prescribed by the Director of Development Services. [BL3139; BL3624]

**9** Notwithstanding anything contained in this Bylaw, the owner of the parcel of land on which a permit has been issued to site a mobile home shall, not later than the 31<sup>st</sup> day of December in each year declare that the use of the accommodation is still required and that the occupancy has not changed or that the said mobile home has been removed from the said parcel of land.

**9.1** To verify a permit holder's ongoing eligibility for a permit, a North Cowichan officer or employee may visit a parcel on which a mobile home is temporarily sited. [BL3139; BL3567]

**10** All permits issued pursuant to this Bylaw shall be subject to the following conditions:

(a) [Repealed; BL3567]

(a.1) the mobile home must be anchored to a foundation to prevent it from moving;

(a.2) a foundation plan complying with the Canadian Standards Association's CAN/CSA-Z240 MH Series of Standards, Mobile Homes, must be submitted to the Inspector;

(b) sanitary facilities, water supply, heating equipment, and the storage and disposal of flammable liquids, oils, and compressed gas provided for the occupant shall be in accordance with all applicable laws and regulations;

(c) the mobile home shall be approved for occupancy by the Inspector;

(d) no extensions, additions or alterations shall be made to a mobile home, other than

(i) one porch not exceeding an area of 9.29 m<sup>2</sup> (100 ft<sup>2</sup>), and

(ii) skirting to enhance the comfort and appearance of the mobile home;

(e) a site plan showing the proposed location of the mobile home must be submitted to the Inspector;

(f) the mobile home must be sited to the rear or side of the front line of the existing dwelling;

(g) the mobile home must be located no closer than 8 m from any lot line;

(h) the mobile home must be vacated immediately upon the expiry of the temporary permit;

(i) the mobile home shall not be occupied by anyone other than the person or persons authorized by the permit. [BL2767, BL3139, BL3567]

- 11** Not more than one temporary permit may be issued pursuant to this Bylaw for any one parcel of land, except in the Agricultural Land Reserve should the British Columbia Land Commission issue letters of approval for additional accommodation.
- 12** A permit shall automatically be deemed to expire under the following conditions:
- (a) under section 2 (c);
  - (b) the mobile home is used for any other purpose than that for which the permit was issued;
  - (c) the mobile home is occupied by anyone other than the person or persons for which the permit was issued;
  - (d) a physician certifies that the person for which the permit was issued under section 2 (a) no longer requires care and maintenance;
  - (e) the original applicant ceases to own or reside on the parcel of land;
  - (f) the term of occupancy or use permitted by the British Columbia Land Commission has expired;
  - (g) any of the general conditions contained in section 10 hereof cannot or are not being met. [BL3139]
- 13** The mobile home shall be removed from the parcel of land within a period of 90 days from the expiry of the temporary permit.
- 14** The Council may revoke any permit issued pursuant to this Bylaw for reasonable cause.
- 15** Every person who occupies, or permits to be occupied, a mobile home after the temporary permit has expired, or who has allowed any unauthorized use or occupancy of such mobile home, shall be deemed to be in violation of this Bylaw. [BL3139]
- 16** Any person who is aggrieved by the interpretation or enforcement of any section of this Bylaw may submit an appeal in writing to the Municipal Council. [BL3139]
- 17** A mobile home permitted under section 2 shall be considered as a separate dwelling unit and the occupier shall pay the user rates required by the appropriate bylaw. [BL1857; BL3139]
- 18** An applicant shall pay to the Municipality
- (a) a non-refundable fee prescribed in the Fees Bylaw, upon application, for a new permit, and
  - (b) an annual fee prescribed in the Fees Bylaw, following approval, but before issuance, for a renewed permit. [BL2860; BL3139; BL3470]
- 19** Every person who occupies or permits to be occupied a mobile home under section 2, whose permit fees, water or sewer user rates are in arrears shall be deemed to be in violation of this Bylaw. [BL1857; BL3139]
- 20** Every person who violates any of the provisions of this Bylaw, or suffers or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction thereof and shall be liable upon summary conviction to a fine not less than \$25 and not exceeding \$250, which penalty and

costs shall be recoverable and enforceable upon summary conviction in the manner provided by the *Summary Convictions Act*, and a further penalty not exceeding the same amount for each and every day which the contravention or violation shall continue.

- 21** This Bylaw may be cited as the "Temporary Mobile Home Permit Bylaw 1976". [BL3139]

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Read a first and second time on May 19, 1976.  
Read a third time on June 9, 1976.  
Adopted on June 23, 1976.